

PATENT  
Docket No. 110.01290101

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant(s): O'SULLIVAN	)	Group Art Unit:	1651	NOV 20 2003
	)			
Serial No.: 09/884,894	)	Examiner:	D.K. Ware	
Confirmation No.: 1710	)			
	)			
Filed: June 19, 2001	)			
	)			
For: BIFIDOBACTERIA AND SIDEROPHORES PRODUCED THEREBY AND				
METHODS OF USE				

OFFICIAL

NOTICE OF APPEAL  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Assistant Commissioner for Patents  
Mail Stop AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 20, 2003, of the Primary Examiner rejecting claims 29, 41, 43 and 44 of the above-identified application under 37 C.F.R. §§1.113 and 1.191. Please charge Deposit Account No. 13-4895 in the amount of \$165.00 for the Notice of Appeal fee.

Applicants believe no extension of time fees are currently due. On October 29, 2003, Applicant's Representative telephoned the Examiner and authorized the Examiner to charge Deposit Account No. 13-4895 for the amount due for a response within the three month time limit. A three-month extension of time extends the period for response from August 20, 2003 to November 20, 2003. The fee for a three month extension of time for a Small Entity is \$475.00. Applicants previously paid for a one month extension of time (\$55.00) with their Amendment and Response filed September 22, 2003, thereby decreasing the amount due from

*Notice of Appeal to the Board of Patent Appeals and Interferences*

Page 2 of 2

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\$475.00 to \$420.00. The deduction of the \$420.00 fee from Deposit Account No. 13-4895 has already been authorized; thus no additional fees for an extension of time are required. However, in the event a fee is due, please charge any fee or credit any overpayment to Account No. 13-4895.

## CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450, on this 20th day of November, 2003, at 1:10 pm (Central Time).

Sue Dombroske  
Sue Dombroske

Date

DLP/skd

Respectfully submitted for  
O'SULLIVAN

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